



ENERGY AND ENVIRONMENT CABINET

**DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
200 FAIR OAKS, 2ND FLOOR
FRANKFORT, KY 40601
TELEPHONE NUMBER (502) 564-6716**

**Registration for a
Registered Permit-By-Rule
Solid Waste Transfer Station
or Convenience Center
Form DEP 7059 (6/99)**

This registration shall become effective five (5) business days after the cabinet receives it, with the exception of medical waste transfer stations which becomes effective thirty (30) days after receipt, unless the cabinet denies the registration within that time.

GENERAL INSTRUCTIONS:

1. **APPLICABILITY** – This form must be complete and submitted to the Cabinet by persons requesting the issuance, renewal or transfer of a permit for a solid waste management facility pursuant to KRS 224.40-330.
2. **ASSISTANCE** – Questions regarding this form may be directed in writing to the Division of Waste Management, Solid Waste Branch at the address listed above or by calling (502) 564-6716.

3. **SUBMISSION** – Submit the original of the completed form to the Division of Waste Management at the address listed above. If an item is not applicable, check the appropriate box or write “N/A” in the space provided. Please type or print legibly in permanent ink.
4. **FEES** – There are no fees with this application.
5. **LAWS AND REGULATIONS** – Applicants are expected to understand and comply with all laws and regulations applicable to the facility.

Statutes and regulations may be viewed online at the following website address: <http://www.lrc.ky.gov/search.htm>

Solid waste forms are available at the following website address: <http://www.waste.ky.gov/forms/>

To assist you in the submittal of a complete and accurate registration, the Division has identified the most common errors made in the review process. These errors are listed below for your convenience.

- 1. Failure to complete the registration. All maps, attachments, and supplemental data must be submitted with this registration.**
- 2. Failure to properly sign and notarize the registration. An individual with signature authority for the applicant as defined by KRS 224.01-010(44) and 401 KAR 47:160 must sign and notarize the appropriate signature sections of the registration.**
- 3. Failure to provide appropriate and properly completed attachments. Maps, drawings, narratives or any attachments that lack sufficient detail may cause delays in the review and approval of the registration.**

Section I
APPLICATION FOR A REGISTERED PERMIT-BY-RULE
SOLID WASTE TRANSFER STATION, CONVENIENCE CENTER,
AND RECYCLING CENTER

Registrant (Owner or Operator) and Facility Information

1. ☐ New Registration – Registration number will be assigned by the Cabinet.
☐ Modification – Registration # _____ — _____
2. Facility type (indicate all that apply):

☐ Convenience Center
☐ Transfer Station
☐ Medical Waste Transfer Station

☐ Recycling Center — ☐ Collection
☐ Processing
☐ Broker
3. Registrant Name _____
(corporation, business, person, or government agency that owns or operates the facility)
4. Registrant's Mailing Address _____
5. City _____ 6. State _____ 7. Zip _____ 8. County _____
9. Contact Person _____ 10. Title _____
11. Phone Number (____) _____ - _____ 12. Fax Number (____) _____ - _____
13. E-Mail Address _____
14. Facility Name _____
15. Facility Location _____
(street or physical location only – no P. O. Box numbers)
16. City _____ 17. Zip _____ 18. County _____
19. Facility Contact Person _____ 20. Title _____
21. Phone Number (____) _____ - _____ 22. Fax Number (____) _____ - _____
23. E-Mail Address _____
24. What community is nearest to the proposed facility? _____
25. What highway intersection is nearest to the proposed facility? _____ & _____
26. What stream is nearest to the proposed facility? _____

27. What is the estimated daily and annual amount of waste that will be managed at the facility?

DAILY: Cubic Yards_____ Tons_____ ANNUAL: Cubic Yards_____ Tons_____

28. For transfer stations, what disposal site will accept the waste from this facility? For recycling centers and convenience centers, what disposal site will accept the non-recyclable waste from this facility?

Facility Name	Permit Number	State

29. List all anticipated sources of waste by county and state and estimate the monthly tonnage to be managed. If there are more than three (3) waste sources, provide the additional information and **LABEL AS ATTACHMENT 1**. If accepting waste from an entire state, write the state name in the space provided.

Source of Waste (County and State)	Monthly Quantity (Tons)

30. Describe, in detail, the following: the equipment to be used, operating hours, number of personnel on site daily, provisions for temporary storage, and the contingency plans for emergencies such as fire, spills, and equipment failure, etc. **LABEL AS ATTACHMENT 2**.
31. Include one (1) current, original U.S.G.S. 7.5 minute topographic map with the original and each copy of the application. Clearly mark the location of the facility and property boundaries. Do not send aerial photographs in lieu of topographic maps. **LABEL AS ATTACHMENT 3**. Maps may be ordered by calling Map Sales at (502) 564-4715.
32. Submit a site plan drawing showing all buildings, roads, property boundaries, fences, etc. Include a North arrow. The site plan may be hand-drawn. **LABEL AS ATTACHMENT 4**.

33. Indicate the appropriate legal organizational structure of the registrant:

- ☐ Proprietorship ☐ Corporation ☐ Partnership General ☐ Joint Venture
- ☐ Partnership Limited ☐ Governmental Agency ☐ Other (describe) _____

34. Provide a notarized true and exact copy of the document which establishes the legal structure of the registrant and check the box that applies. **LABEL AS ATTACHMENT 5.**

- ☐ Partnership agreement (partnership)
- ☐ Certificate of Incorporation from the Kentucky Secretary of State (in-state corporation)
- ☐ Certificate of Authority to transact business in Kentucky (out-of-state corporation)
- ☐ Not Applicable (if the registrant is a sole proprietor or government entity)

35. If the registrant is a corporation, limited partnership, or general partnership operating under an assumed name, submit a copy of the approved Certificate of Assumed Name as provided by the Secretary of State. **LABEL AS ATTACHMENT 6.** If not applicable, check here ☐.

36. If a corporation, identify the resident agent in Kentucky for service of process.

Name _____ Title _____

Address _____

Phone Number (_____) _____ - _____ Fax Number (_____) _____ - _____

37. If the owner of the property on which the proposed facility is to be located is not the registrant, then the registrant must submit a notarized statement (see **ADDENDUM #1** attached to this application) signed by the **property owner**. If not applicable (if the registrant is the property owner), check here ☐.

38. Publish a notice using **ADDENDUM #2**. Provide a tear sheet and affidavit of publication. **LABEL AS ATTACHMENT 7.**

39. I, _____, certify that a copy of this application has been
(Registrant's signature)

delivered to the governing body of the solid waste management area in which the facility will be located.

40. Pursuant to 401 KAR 47:160, Section 6, a responsible official (company owner, corporate officer, mayor, county judge executive, or other appropriate official) must sign the certification statement below. **Consultants or other persons may not sign the certification statement unless that person possesses and supplies a copy of a power of attorney.**

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for such violations."

Name (print) _____ Title _____

Signature _____

Subscribed and sworn to before me this _____ day of _____, Year _____

Notary Public Signature _____

State of _____ County of _____ My commission expires _____

Section II
REGISTRANT DISCLOSURE STATEMENT

1. Registrant's complete name (print) _____
(Registrant is the corporation, business, person, or government agency that owns or operates the facility.)
2. State of Incorporation or Application _____
3. Mailing Address _____
4. City _____ 5. State _____ 6. Zip _____
7. Phone Number (_____) _____ - _____ 8. Fax Number (_____) _____ - _____
9. Provide the names of all key personnel as defined by KRS 224.01-010(44) and their titles or positions. Attach additional pages if necessary and **LABEL AS ATTACHMENT 8**. A completed Key Personnel Disclosure Statement (Section III) must be submitted with the application for each individual listed below. Sole proprietors and government agencies are not required to submit key personnel disclosure statements. If not applicable, check here ☐.

Key Person

Title/Position

- a. _____
- b. _____
- c. _____
- d. _____

10. Submit a description of the registrant's experience in managing solid waste including any past or present permits or licenses held by the registrant within the previous five (5) years. **LABEL AS ATTACHMENT 9**. If not applicable, check here ☐.
11. Submit a description of the registrant's experience in managing hazardous waste including any past or present permits or licenses held by the registrant within the previous five (5) years. **LABEL AS ATTACHMENT 10**. If not applicable, check here ☐.
12. Submit a description of all civil and administrative complaints against the registrant and its key personnel for the violation of any state or federal environmental protection law that have resulted in a fine or penalty of more than one thousand dollars (\$1,000) within five (5) years before the date of the submission of this application. If not applicable, check here ☐.

If applicable, each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identity of all parties named in the complaint, the forum in which the complaint was filed, the identity of each state or federal agency involved with or named in the complaint, the amount of the fine or penalty, whether the fine or penalty has been paid, the identity and description of

REGISTRANT DISCLOSURE STATEMENT *continued*

each law or regulation violated or alleged to have been violated and upon which the fine or penalty is based; and state whether the fine was the result of settlement or agreed order, an administrative order, or a court judgment. If litigation is ongoing, describe any orders or judgments entered and describe the current status of the litigation. **LABEL AS ATTACHMENT 11.**

13. Submit a description of all civil and administrative complaints against the registrant and its key personnel for the violation of any state or federal environmental protection law that allege an act or omission that constitutes a violation of a state or federal environmental protection law and that presented a substantial endangerment to the public health or the environment. If not applicable, check here ☐.

If applicable, each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identities of each party to the complaint, the forum in which the complaint was brought, the identity of each state or federal agency involved with or named in the complaint, an explanation of the alleged act or omission, the identity and a description of the environmental protection law or regulation alleged to have been violated, an explanation of all corrective action measures performed to correct or mitigate the alleged violation, and a description of the alleged endangerment to public health or to the environment. State whether the issues raised in the complaint have been resolved and whether the resolution was the result of a settlement or agreement, an administrative order, or a court order of judgment. If litigation on the allegation is ongoing, describe any orders or judgments entered and describe the present status of the litigation. **LABEL AS ATTACHMENT 12.**

14. Submit a description of all pending criminal complaints alleging the violation of any state or federal environmental protection law that have been filed against the registrant and its key personnel within five (5) years before the date of submission of this application. If not applicable, check here ☐.

If applicable, each description shall include the following: the style of the case and the identifying case number, the date the complaint was filed, the forum in which the complaint is pending, the identity of the law or regulation allegedly violated and a narrative description of the law or regulation, whether the alleged violation is a misdemeanor or a felony, and all actions and pleadings which have occurred or have been filed in association with the complaint. **LABEL AS ATTACHMENT 13.**

15. Submit a description of all judgments of criminal conviction entered against the registrant and its key personnel within five (5) years before the date of submission of this application for the violation of any state or federal environmental protection law. If not applicable, check here ☐.

If applicable, each description shall include the following: style, case number, forum in which the complaint was entered, date of judgement, sentence imposed, the identity and a description of each law the registrant was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal. **LABEL AS ATTACHMENT 14.**

16. Submit a description of all judgements of criminal conviction of a felony under the laws of any state or the United States that are entered against the registrant and its key personnel within five (5) years before the date of submission of this application. **LABEL AS ATTACHMENT 15.** If not applicable, check here ☐.

REGISTRANT DISCLOSURE STATEMENT continued

If applicable, each description shall include the following: style, case number, forum in which the complaint was entered, date of judgement, sentence imposed, the identity and a description of each law the registrant was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal. **LABEL AS ATTACHMENT 16.**

17. Submit a list of the names and addresses of all waste sites or facilities and solid waste management facilities in which the registrant or any of its key personnel has a financial or equitable interest, or is an officer, director, or manager. **LABEL AS ATTACHMENT 17.** If not applicable, check here ☐.

Pursuant to 401 KAR 47:160, Section 6(4), "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for such violations."

Name of Registrant's Responsible Official (print) _____ Title _____

Signature _____

Subscribed and sworn to before me this _____ day of _____, Year _____

Notary Public Signature _____

State of _____ County of _____ My commission expires _____

Section III
KEY PERSONNEL DISCLOSURE STATEMENT

**Sole proprietors and government agencies
are not required to submit key personnel disclosure statements.**

Before beginning, make additional blank copies of Section III for each person listed as key personnel in Section II, Item 9. All key personnel of the registrant are required to submit the following information to the Cabinet before the application can be accepted. This disclosure is also required prior to a change in key personnel of the registrant.

1. Key Person (print) _____
2. Mailing Address _____
3. City _____ 4. State _____ 5. Zip _____
6. Phone Number (_____) _____ - _____ 7. Fax Number (_____) _____ - _____
8. What is the relationship between the registrant and key person? Reference KRS 224.010-010(44).
☐ Partner ☐ Shareholder ☐ Corporate Official ☐ Other _____
9. Submit a description of the key person's experience in managing solid waste including any past or present permits or licenses held by the key person within the previous five (5) years. **LABEL AS ATTACHMENT 18.** If not applicable, check here ☐.
10. Submit a description of the key person's experience in managing hazardous waste including any past or present permits or licenses held by the key person within the previous five (5) years. **LABEL AS ATTACHMENT 19.** If not applicable, check here ☐.
11. Submit a description of all civil and administrative complaints against the key person for the violation of any state or federal environmental protection law that have resulted in a fine or penalty of more than one thousand dollars (\$1,000) within five (5) years before the date of the submission of this application. If not applicable, check here ☐.

If applicable, each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identity of all parties named in the complaint, the forum in which the complaint was filed, the identity of each state or federal agency involved with or named in the complaint, the amount of the fine or penalty, whether the fine or penalty has been paid, the identity and description of each law or regulation violated or alleged to have been violated and upon which the fine or penalty is based; and state whether the fine was the result of settlement or agreed order, an administrative order, or a court judgment. If litigation is ongoing, describe any orders or judgments entered and describe the current status of the litigation. **LABEL AS ATTACHMENT 20.**

KEY PERSONNEL DISCLOSURE STATEMENT **continued**

12. Submit a description of all civil and administrative complaints against the key person for the violation of any state or federal environmental protection law that allege an act or omission that constitutes a violation of a state or federal environmental protection law and that presented a substantial endangerment to the public health or the environment. If not applicable, check here ☐.

If applicable, each description shall include the following: the style of the complaint, the case, file, or other identifying number, the identities of each party to the complaint, the forum in which the complaint was brought, the identity of each state or federal agency involved with or named in the complaint, an explanation of the alleged act or omission, the identity and a description of the environmental protection law or regulation alleged to have been violated, an explanation of all corrective action measures performed to correct or mitigate the alleged violation, and a description of the alleged endangerment to public health or to the environment. State whether the issues raised in the complaint have been resolved and whether the resolution was the result of a settlement or agreement, an administrative order, or a court order of judgment. If litigation on the allegation is ongoing, describe any orders or judgments entered and describe the present status of the litigation. **LABEL AS ATTACHMENT 21.**

13. Submit a description of all pending criminal complaints alleging the violation of any state or federal environmental protection law that have been filed against the key person within five (5) years before the date of submission of this application. If not applicable, check here ☐.

If applicable, each description shall include the following: the style of the case and the identifying case number, the date the complaint was filed, the forum in which the complaint is pending, the identity of the law or regulation allegedly violated and a narrative description of the law or regulation, whether the alleged violation is a misdemeanor or a felony, and all actions and pleadings which have occurred or have been filed in association with the complaint. **LABEL AS ATTACHMENT 22.**

14. Submit a description of all judgments of criminal conviction entered against the key person within five (5) years before the date of submission of this application for the violation of any state or federal environmental protection law. If not applicable, check here ☐.

If applicable, each description shall include the following: style, case number, forum in which the complaint was entered, date of judgement, sentence imposed, the identity and a description of each law the key person was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal. **LABEL AS ATTACHMENT 23.**

15. Submit a description of all judgements of criminal conviction of a felony under the laws of any state or the United States that are entered against the key person within five (5) years before the date of submission of this application. **LABEL AS ATTACHMENT 24.** If not applicable, check here ☐.

If applicable, each description shall include the following: style, case number, forum in which the complaint was entered, date of judgement, sentence imposed, the identity and a description of each law the key person was convicted of violating, whether the conviction was the result of a plea agreement or a trial, and, if currently on appeal, the status of the appeal. **LABEL AS ATTACHMENT 25.**

KEY PERSONNEL DISCLOSURE STATEMENT continued

16. Submit a list of the names and addresses of all waste sites or facilities and solid waste management facilities in which the key person has a financial or equitable interest, or is an officer, director, or manager. **LABEL AS ATTACHMENT 26.** If not applicable, check here ☐.

Pursuant to 401 KAR 47:160, Section 6(4), "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for such violations."

Name of key person (print) _____ Title _____

Signature _____

Subscribed and sworn to before me this _____ day of _____, Year _____

Notary Public Signature _____

State of _____ County of _____ My commission expires _____

Addendum #1**Owner's Acknowledgement of Liability**

1. Property Owner
2. Mailing Address
3. City .
4. State
5. Zip
6. Contact Person
7. Title
8. Phone #: () -
9. Fax #: () -
10. Cell #: () -
11. E-Mail Address:

Certification

"I am aware of the facility that has been proposed for my property; and, I have been given a copy of the application outlining this project. I hereby give permission for the registrant to proceed with this project. I understand that I am fully liable if the registrant fails to comply with the statutory and regulatory requirements for composting facilities, including any enforcement actions by the Energy and Environment Cabinet."

Signature _____

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public Signature _____

State of _____ County of _____ My commission expires _____.

Addendum #2**Public Notice for a Registered Permit-By-Rule Application**

proposes to submit an application for a registered permit-by-rule composting facility to the Energy and Environment Cabinet, Division of Waste Management, pursuant to **401 KAR 47:110**. The registration shall become effective five (5) business days after the Cabinet receives it unless the Cabinet denies the registration within that time. The proposed facility will: (description of business conducted)

The proposed facility will be located at the following address: (facility name)
(facility address) (city, state, zip)

For questions regarding this proposed facility, contact: (facility owner or operator) at
() - (phone number including area code).

Questions concerning the application process for registered permits-by-rule can be directed to the:

Energy and Environment Cabinet
Division of Waste Management
200 Fair Oaks Lane, Frankfort, KY 40601
(502) 564-6716.

